FILED

JAN 22 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8039

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No.:
v.	COMPLAINT FOR VIOLATION OF
Jose SOBERANES-Robles Defendant.	21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

On or about January 19, 2008, within the Southern District of California, defendant Jose SOBERANES-Robles did knowingly and intentionally import approximately 18 kilograms (39.60 lbs.) of cocaine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Probable Cause Statement incorporated herein by reference.

Claudia Herzog
Special Agent
Immigration & Customs Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 22nd DAY OF JANUARY 2008.

Peter C. Lewis
U.S. Magistrate Judge

PROBABLE CAUSE STATEMENT

I, Special Agent Claudia Herzog, declare under penalty of perjury, the following is true and correct:

On January 19, 2008, at approximately 2154 hours, Customs and Border Protection (CBP) Officers were conducting a pre-primary roving operation at the Calexico, CA. West Port of Entry. A canine alerted and responded to the rear seat of a 1995 Toyota Tercel bearing CA license plates 5MDX066. Jose SOBERANES-Robles was identified as the driver and sole occupant of the vehicle. The vehicle and SOBERANES were escorted through lane #9, where a CBP Officer obtained a negative declaration from SOBERANES. In secondary inspection, CBP Officers discovered 16 packages concealed within a specially built compartment located underneath the rear seat of the vehicle. One of the packages was probed and a sample of a white powdery substance was obtained, which field tested positive for cocaine. The 16 packages had a combined net weight of approximately 18 kilograms (39.60 pounds) of cocaine.

SOBERANES was arrested in violation of Title 21 United States Code Section 952, and 960, Importation of Controlled Substances. SOBERANES acknowledged and waived his Miranda rights. SOBERANES denied knowledge of the cocaine found in the Toyota Tercel. SOBERANES claimed that he was test-driving the vehicle. SOBERANES was processed and booked into the Imperial County Jail to await his initial appearance before a U.S. Magistrate Judge.

Executed on 01/20/2008 (date) at 1445 (hours).

Claudia Herzog
Immigration & Customs Enforcement
Special Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant(s) named in the probable cause statement committed the offense on 01/20/2008 in violation of Title 21, United States Code, Section(s) 952 & 960.

United States Magistrate Judge

1/20/08 @ 3:24 p.m.
Date/Time